

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) 3:13-CR-082-LRH-(VPC)  
 )  
MARCUS GABRIEL HENDERSON, )  
 )  
Defendant. )

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on January 27, 2014, defendant MARCUS GABRIEL HENDERSON pled guilty to Counts One and Two of a Two-Count Superseding Indictment charging him in Count One with Attempted Production of Child Pornography in violation of Title 18, United States Code, Section 2251(a) and in Count Two with Transportation of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(1). Superseding Indictment, ECF No. 22; Change of Plea, ECF No. 28; Plea Agreement, ECF No. 29.

This Court finds defendant MARCUS GABRIEL HENDERSON agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Indictment. Superseding Indictment, ECF No. 22; Change of Plea, ECF No. 28; Plea Agreement, ECF No. 29.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture

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1 Allegation of the Superseding Indictment and the offenses to which defendant MARCUS GABRIEL  
2 HENDERSON pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
4 2253:

- 5 1. Misc. Thumb Drives;
- 6 2. Misc. CD-ROMs & DVDs;
- 7 3. Misc. SD Cards;
- 8 4. T-Mobile SIM Card;
- 9 5. Hidden Video Camera with 8GB SD Card;
- 10 6. 3.5" Floppy Disks – 3 Each;
- 11 7. Apple iPhone, SN: F18JR5HHDTTN;
- 12 8. Apple Mac Mini Desktop Computer, SN: YM5200N2RHR;
- 13 9. CM Storm Custom Desktop Computer, SN: None Visible;
- 14 10. Seagate External Hard Drive, 1TB, SN: NA52EML0;
- 15 11. Western Digital External Hard Drive, SN: WXF0AB9K0167;
- 16 12. Seagate Free Agent External Hard Drive, SN: 2GEV7DTG; and
- 17 13. any book, magazine, periodical, film, videotape, or other matter which contains any  
18 such visual depiction, which was produced, transported, mailed, shipped, or  
19 received in violation of Title 18, United States Code, Sections 2251 and 2252A

20 (all of which constitutes "property").

21 This Court finds the United States of America is now entitled to, and should, reduce the  
22 aforementioned property to the possession of the United States of America.

23 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
24 United States of America should seize the aforementioned property.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
26 MARCUS GABRIEL HENDERSON in the aforementioned property is forfeited and is vested in the

1 United States of America and shall be safely held by the United States of America until further order  
2 of the Court.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
4 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
5 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
6 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
7 name and contact information for the government attorney to be served with the petition, pursuant to  
8 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
10 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
11 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
12 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
13 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's  
14 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
15 petition and the relief sought.


16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
17 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South  
18 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if  
19 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the  
20 official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
23 following address at the time of filing:

24 Greg Addington  
25 Assistant United States Attorney  
100 West Liberty Street, Suite 600  
26 Reno, NV 89501

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 29th day of January, 2014.

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8 LARRY R. HICKS  
9 UNITED STATES DISTRICT JUDGE  
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